

Vinson&Elkins

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By Federal Express

Patricia C. Hick, Esq.
USEPA Region 2
290 Broadway
17th Floor
New York, NY 10007-1866

Re: CERCLA Docket No. 02-2008-2020

Dear Ms. Hick:

Pursuant to Paragraph 92 of the Administrative Settlement Agreement and Order on Consent ("AOC") between the United States Environmental Protection Agency and Occidental Chemical Corporation and Tierra Solutions, Inc. ("Respondents"), CERCLA Docket No. 02-2008-2020, Respondents hereby provide EPA with written notice of a proposed change to the financial assurance arrangements under the AOC.

Respondents propose to modify the financial assurance provided under the AOC by substituting a letter of credit, in the amount of \$10 million, in place of the payment of \$10 million into the trust fund that is currently scheduled for March 21, 2010 under the Trust Agreement approved by EPA in Paragraph 88 of the AOC. This letter of credit will be in place on or before March 21, 2010, so the amount and timing of financial assurance is not affected by this proposal.

Under the AOC, Respondents may not proceed with this modification until EPA approves of the proposed change in writing. We would appreciate your providing such approval at your earliest convenience. Please contact me if you would like to discuss this proposal.

Very truly yours,



Carol E. Dinkins